

FILED

DISTRICT COURT OF GUAM

NOV 17 2006 *hba*

MARY L.M. MORAN
CLERK OF COURT

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11 Attorneys for Defendant, Cross-Claimant
Counterclaimant, and Third-Party Complainant
12 S.J. GARGRAVE SYNDICATE 2724

13 IN THE DISTRICT COURT OF GUAM

14 TERRITORY OF GUAM

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 vs.

18 MARWAN SHIPPING & TRADE CO., FIVE
SEAS SHIPPING CO., LLC, and S.J.
19 GARGRAVE SYNDICATE 2724, *in*
personam,

20 Defendants.
21

22 S.J. GARGRAVE SYNDICATE 2724,

23 Cross-Claimant,

24 vs.

25 MARWAN SHIPPING & TRADE CO., FIVE
SEAS SHIPPING CO., LLC, UNITED
26 STATES OF AMERICA,

27 Cross-Defendants.
28

Civil Case No.: 06-00011

**APPLICATION TO CLERK OF
COURT FOR ISSUANCE OF PROCESS
RE FOREIGN CORPORATION (FRCP
4(f)(2)(B))**

Complaint Date: April 19, 2006

Trial Date: None Set

1 S.J. GARGRAVE SYNDICATE 2724,

2 Third-Party Plaintiff ,

3 vs.

4 NAVIGATORS PROTECTION &
5 INDEMNITY; AL-BUHAIRA NATIONAL
6 INSURANCE COMPANY,

7 Third-Party Defendants.
8

9 S.J. GARGRAVE SYNDICATE 2724 ("Gargrave") hereby requests that, pursuant to
10 Rules 4(h)(2) and 4(f)(2)(B) of the Federal Rules of Civil Procedure, the Clerk of the Court issue
11 the "REQUEST FOR JUDICIAL ASSISTANCE UPON A FOREIGN CORPORATION AND
12 LETTER ROGATORY" submitted to the Clerk herewith, to the appropriate judicial or diplomatic
13 authority.

14 Third-Party Defendant AL BUHAIRA NATIONAL INSURANCE COMPANY ("Al
15 Buhaira") is a foreign corporation or association having a place of business and doing business in
16 the United Arab Emirates. Rule 4(h)(2) of the Federal Rules of Civil Procedure provides that
17 service on a foreign corporation or association may be made in accordance with the procedures
18 set forth in Rule 4(f) of the Federal Rules of Civil Procedure. In turn, Rule 4(f)(2)(B) provides
19 that service may be made through Letters Rogatory, which is an official procedure for service of
20 process through, *inter alia*, diplomatic channels.

21 Once the Clerk of the Court executes the "REQUEST FOR JUDICIAL ASSISTANCE
22 UPON A FOREIGN CORPORATION AND LETTER ROGATORY," the United States shall, it
23 is hereby requested, cause the issued Writ to be served upon the defendant through the applicable
24 procedures under Rule 4(f)(2)(B).
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26
27
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1 DATED: ~~October~~ ^{November} 16, 2006

Respectfully submitted,

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A Professional Corporation
Forrest Booth
Ryan Donlon

Law Offices of
THOMAS MCKEE TARPLEY
A Professional Corporation

By: 

Thomas M. Tarpley

Attorneys for Defendant, Cross-Complainant,
Third-Party Complainant S.J. GARGRAVE
SYNDICATE 2724